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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/764,724

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WONG #9

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EXAMINER

LE, TUAN H

ART UNIT

PAPER NUMBER

2622

MAIL DATE

DELIVERY MODE

08/08/2007

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/764,724

Applicant(s)

WONG, THOMAS K.

Examiner

Tuan H. Le

Art Unit

2622

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 26 January 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-14 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-14 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 26 January 2004 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____

DETAILED ACTION

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claims 1-12 and 14 are rejected under 35 U.S.C. 102(e) as being anticipated by Wesselink (Wesselink et al, U.S. Pat. 6,585,428)

Regarding **claim 1**, Wesselink discloses a surveillance apparatus (Wesselink, Fig. 14 and Fig. 15) comprising, in combination:

a trailer (402A) including a trailer frame (416) and a trailer body (418,420,422), (Wesselink, column 10 lines 39-49 and column 11 lines 60-64, wherein trailer frame, wheels, axles, spring, and cement blocks are incorporated);

a mast (pole upper member 408A) having a mast distal end (Wesselink, Fig. 15, wherein pole 408A is disclosed);

a mast connector (hinge assembly 440) connecting said mast to said trailer, said mast being selectively movable relative to said trailer between a first position wherein said mast projects upwardly from said trailer and a second position wherein said mast extends along said trailer, said mast distal end being

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higher when the mast is in said first position than when the mast is in said second position (Wesselink, Fig. 15 and column 11 lines 60-67, wherein pole upper member pivots on hinge assembly);

at least one surveillance camera (20) and at least one light attached to said mast at or adjacent to said mast distal end and spaced from said mast connector (Wesselink, Fig. 14, Fig. 15, and column 4 lines 62-65, wherein surveillance assembly includes lights); and

mast mover structure (windlass system 446, 448, 450) operatively associated with said mast for selectively moving said mast between said first and second positions, said at least one surveillance camera and said at least one light being at a higher elevation when the mast is in said first position than when the mast is in said second position, (Wesselink, Fig. 15 and column 12 lines 7-10, wherein windlass system is used for lifting the mast).

Regarding **claim 2**, Wesselink teaches the surveillance apparatus of claim 1. In addition, Wesselink discloses said mast connector (hinge assembly 440) is a pivot connector, said mast (pole upper member 408A) being pivotally connected to said trailer by said pivot connector, (Wesselink, Fig. 15 and column 11 lines 60-67, wherein pole upper member pivots on hinge assembly).

Regarding **claim 3**, Wesselink teaches the surveillance apparatus of claim 2. In addition, Wesselink discloses lock structure (threaded bolt, nuts, and or locks) for selectively releasably locking said mast in either said first position or said second position, (Wesselink, Fig. 15 and column 12 lines 5-8, wherein pole can be secured in vertical position).

Regarding **claim 4**, Wesselink teaches the surveillance apparatus of claim 3. In addition, Wesselink discloses mast mover structure includes a winch (448) connected to said trailer and a line (450) extending between said winch and said mast, said line attached to said mast at a location spaced from said pivot connector, (Wesselink, Fig. 15).

Regarding **claim 5**, Wesselink teaches the surveillance apparatus of claim 4. In addition, Wesselink discloses that said trailer frame (416) includes an upstanding frame member (406A and 447) having an upper end, said pivot connector (440) located at said upper end (Wesselink, Fig. 15).

Regarding **claim 6**, Wesselink teaches the surveillance apparatus of claim 5. In addition, Wesselink discloses a line support (inherent part of windlass system) attached to said upstanding frame member and laterally projecting therefrom, said line support including a rotatable guide roller (inherent part of windlass system) engaging, supporting and stabilizing said line (Wesselink, Fig. 15).

Regarding **claim 7**, Wesselink teaches the surveillance apparatus of claim 6. In addition, Wesselink discloses releasable line support attachment structure (448) releasably attaching said line support to said upstanding frame member (Wesselink, Fig. 15).

Regarding **claim 8**, Wesselink teaches the surveillance apparatus of claim 4. In addition, Wesselink discloses said winch (448) is releasably connected to said trailer frame (Wesselink, Fig. 14 and Fig. 15, wherein 446, 447, and 448 parts are connected).

Regarding **claim 9**, Wesselink teaches the surveillance apparatus of claim 3. In addition, Wesselink discloses a saddle (428A and 430A) extending upwardly from said trailer at a location spaced from said pivot connector defining a space receiving said mast when said mast is in said second position, said lock structure including a lock member operatively associated with said saddle to selectively lock said mast in said space in said second position (Wesselink, Fig. 15 and column 12 lines 29-32, wherein pole upper member is secured in the fork).

Regarding **claim 10**, Wesselink teaches the surveillance apparatus of claim 5. In addition, Wesselink discloses said upstanding frame member upper end (406A and 447) comprises a bracket (upper and lower flanges 442 and 444) defining a bracket interior receiving said mast (408A) when said mast is in said first position (vertical position), said lock structure (threaded bolts, nuts, and/or locks) including a lock member operatively associated with said bracket to selectively lock said mast in said first position (Wesselink, Fig. 15 and column 12 lines 2-8, wherein the upper pole member is secured in vertical position).

Regarding **claim 11**, Wesselink teaches the surveillance apparatus of claim 1. In addition, Wesselink discloses a plurality of surveillance cameras (20) are attached to said mast at or adjacent to said mast distal end, said surveillance cameras being spaced from one another and forming a cluster of surveillance cameras defining a central cluster space, said at least one light disposed in said central cluster space at a predetermined location in said central cluster space wherein said at least one light will not adversely affect operation of said

surveillance cameras (Wesselink, Fig. 14 and column 4 lines 62-65, wherein three camera are forms a central cluster space and lights should be installed such that lights do not affect camera operations)

Regarding **claim 12**, Wesselink teaches the surveillance apparatus of claim 11. In addition, Wesselink discloses a plurality of camera supports (22 and pan, tilt devices) radiating outwardly from said mast at or adjacent to said distal mast end supporting said plurality of surveillance cameras (Wesselink, Fig. 1 and column 4 lines 66 bridging to the next paragraph, wherein pivot connectors are described).

Regarding **claim 14**, Wesselink teaches the surveillance apparatus of claim 1. In addition, Wesselink discloses that said at least one light comprises an electric light for providing continuous non-strobe light, (column 4 lines 62-65, wherein surveillance assembly includes lights).

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claim 13 is rejected under 35 U.S.C. 103(a) as being unpatentable over Wesselink (Wesselink et al, U.S. Pat. 6,585,428) and further in view of Kaylor (Kaylor et al, U.S. Pub. 2003/0025791)

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Regarding **claim 13**, Wesselink teaches the surveillance apparatus of claim 1. However, Wesselink does not disclose said at least one light comprises a strobe light.

On the other hand, Kaylor discloses a strobe light in a surveillance system (Kaylor, paragraph [0058], wherein the strobe light is used for alignment of surveillance camera)

Therefore, it would have been obvious to an artisan to combine the strobe light as described by Kaylor with the surveillance camera as described by Wesselink in order to adjust surveillance camera position because such combination increases field of view for the surveillance camera, thus improving system performance, i.e. better images are captured).

Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Hamilton (U.S. Pat. 4,815,757) discloses a surveillance system built into a typical off-the-road vehicle. The system includes a telescoping mast and an erection/retraction assembly for rapidly erecting the mast from a horizontal, concealed configuration to a vertical position.

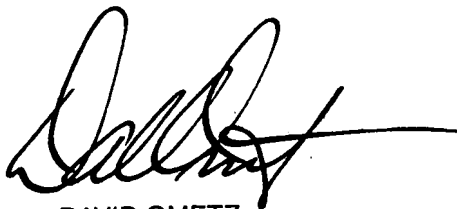
Walling (U.S. Pat. 6,056,450) discloses a camera support device for elevating a camera above its operator. The device provides a stable support and allows the operator to manually control the camera's field of view.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Tuan H. Le whose telephone number is (571) 270-1130. The examiner can normally be reached on M-Th 7:30-5:00 F 7:30-4:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, David L. Ometz can be reached on (571) 272-7593. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Tuan Le/
8/3/2007



DAVID OMETZ
SUPERVISORY PATENT EXAMINER